

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

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|-------------------|---|------------------|
| BOYKIN JONES, |) | |
| |) | |
| Plaintiff, |) | |
| |) | CIVIL ACTION NO. |
| v. |) | 2:08cv220-MHT |
| |) | (WO) |
| NIKKITA SHAMBRAY, |) | |
| |) | |
| Defendants. |) | |

OPINION

Pursuant to 42 U.S.C.A. § 1983, plaintiff Boykin Jones, a state inmate, filed this lawsuit against defendant Nikkita Shambray (whose name was incorrectly spelled in the complaint as "Nitka Shambaray"), charging the use of excessive force. This lawsuit is now before the court on the recommendation of the United States Magistrate Judge that, after conducting an evidentiary hearing, judgment should be entered in favor of Shambray and against Jones. Also before the court are Jones's objections to the recommendation. After an independent and de novo review of the record, including listening to

a recording of the hearing held before the magistrate judge on February 15, 2011, the court concludes that Jones's objections should be overruled and the magistrate judge's recommendation adopted.

An appropriate judgment will be entered.

DONE, this the 7th day of March, 2011.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE